REMARKS

As a preliminary matter, Applicants appreciate the Examiner's indication of allowable subject matter contained in claims 2-7 and 9-10.

Claims 1 and 8 stand rejected under 35 U.S.C. 102(b) as being anticipated by Sri-Jayantha et al. (U.S. Patent No. 6,097,565). In response, Applicants amended independent claims 1 and 8 to further define the predetermined area where position conversion information is stored as being an area from which the position conversion information can be read out even when data has been written along the concentric orbits having a center that is the rotation shaft, and respectfully traverse the rejection as it applies to the amended claims.

In the Office Action, the Examiner asserts that Sri-Jayantha anticipates the present invention. However, Sri-Jayantha is different from the present application. More specifically, the purpose of Sri-Jayantha is to inhibit fluctuation of the orbit of the head, which is caused by runout. In order to achieve this purpose, Sri-Jayantha controls the head based on information stored in reserve sectors of the discoid. If the runout can be inhibited, and if the head can trace the ideal tracks determined by servo information, then Sri-Jayantha will have no effect on correcting the position of the head.

In contrast, the recording apparatus of the present invention has an effect on head positioning when there is no runout. That is, the present invention sets the virtual tracks of which the center is the rotation shaft that the tracks are to be traced. In Sri-Jayantha, all information for the head to trace tracks is stored on a discoid. However, in the present

invention the information to change tracks to be traced is stored on a discoid and recording apparatus.

Claims 1 and 8, as amended, now recite this feature in the amended claim language. That is, the amended claim language represents the tracks to be traced changes based on reading data, and that the information used for the change cannot be overwritten by users. Thus, the present invention and Sri-Jayantha are different because there is no alteration of the tracks between before and after reading of the information in Sri-Jayantha. For this reason, withdrawal of the §102 rejection of claims 1 and 8 is respectfully requested.

New claim 11 is added and specifies that data can be read out by writing a plurality of pieces of the position conversion information at a predetermined area, even when data has been written along the concentric orbits of which the center is the rotation shaft. Applicants respectfully solicit allowance of new claim 11 for this feature, and also for the other features that it recites.

For all of the foregoing reasons, Applicants submit that this Application is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

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